

THE OTHER SIDE OF SILICON

By Chris Farnsworth

Jody Santana, 100lb, looks her son Bryan recent. She admits shyly, as she gives him another poppicle. "Yeah, I let him get away with a Dr. He's my miracle baby."

It's not just that Bryan is a healthy, beautiful two-year-old boy. It's also because he is the only child Jody Santana was able to carry to term during seven miscarriages she suffered while working at Zilog, Inc., a California-based semiconductor manufacturer with facilities near to I-84 in Nampa. Santana claims that exposure to chemicals while working at Zilog's Nampa plant caused the miscarriages of her other children, and that Bryan only survived because she was transferred out of the plant's Mod II facility — an area some parents and former Zilog employees call "the Death Bay." Zilog denies their facility had anything to do with Santana's miscarriages.

Thirty other employees who worked in Mod II along with Santana sued Zilog for damages from multiple exposures to dangerous chemicals while on the job. The employees say the exposures caused respiratory ailments, open sores on their faces and in their ears, nose and throat, decreased memory loss, kidney stones and miscarriage. They claim Zilog not only knew about the problems, but retaliated with threats and harassment if anyone asked questions or displayed symptoms. Zilog denied the plaintiffs' claims but recently settled with them out of court.

The case, which began in 1994, went through a lengthy and often bitter series of pre-trial hearings and arguments. Finally, on Aug. 24 of this year, the verdict came before the trial plaintiff's attorney Robert C. Hurdley, a former justice of the Idaho State Supreme Court, received a 167-minute confidential settlement — for \$2.25 million, according to records obtained by *EW*.

But in many ways, that settlement was only the beginning of the story. Behind the lawyers' arguments, the depositions and the last-minute brokering, a whole different drama was being considered. Federal Magistrate Judge Mikel Williams is on. Current Federal Magistrate Judge Mikel Williams is building and altering records. Until a decision is handed down, both the plaintiffs and Zilog are forbidden to speak to the media as part of a gag order established by Williams. Santana was able to speak to *EW* because she also filed a separate suit against Zilog, which her attorneys told her is not covered by the gag order.

In addition to interviews with Santana and a representative of Zilog, *Buzz Westly* has obtained certain internal memos, documents and records from the settlement process, containing information sealed by the gag order and never brought up in court. They indicate:

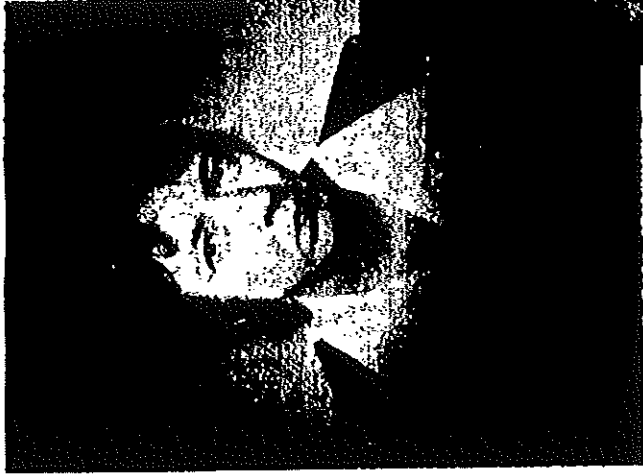
- In spite of their current denial, Zilog supervisors and officials were aware that employees were being exposed to highly toxic chemicals in Mod II and that many workers were reporting illnesses due to the exposures. Zilog later refused payment for medical care, sick leave and workman's compensation to several of those employees.
- Zilog continued to use a chemical known to cause fetal death — a chemical Jody Santana says she was exposed to repeatedly throughout her pregnancies — after they told the press and their employees they had phased the chemical out.
- While Zilog now says their facility was always up to code, this was not the case. The company was out of compliance with fire and safety codes and internal audits showed "serious deficiencies" in ventilation and maintenance.

Zilog neglected repair of the problems causing the chemical exposures for several years because fines were considered too expensive, causing their plant's safety manager to resign in frustration.

Those frustrations were apparently shared by Jody Santana and the other plaintiffs as they tried to bring this case to trial. Zilog insists what they say they experienced never happened.

THE SHIPS ARE FLYING!

Until this lawsuit, Zilog was only known as a success story, if at all. Based in Campbell, Calif., the chip manufacturer carved out a niche for itself in the highly competitive industry that has arisen in the wake of the Digital Revolution. Zilog manufactures the workhorses of most electronic equipment — the microcontroller chip. These chips aren't as sophisticated as their smarter cousins, the microprocessor chips used in computers. But they are necessary for most smartest machines, cellular phones and remote controls to function. Microcontrollers are also used in computer monitors and keyboards, and Zilog estimates their chips are in 50 percent of computer keyboards worldwide. Today, Zilog supplies chips to customers as diverse as Apple, Hewlett-Packard and GE and has also announced plans to begin manufacturing V-chips for TVs. In 1996, Zilog released 50 new products, and corporate officials predict that number will only get larger.



Jody Santana claims that exposure to chemicals at Zilog led to seven miscarriages



Zilog was not always this successful. Formed in 1974, the corporation often struggled until a management-led buyout from parent company Exxon in 1989 led to Dr. Edgar A. Sack's election as Chairman of the Board of Directors. Under Sack's leadership, Zilog has seen its output, revenues and profits all grow steadily.

Nampa has been home to Zilog's primary manufacturing facility for almost the company's entire history. Mod II has been their primary fabrication facility — or "the Fab," as those who work there call it — for most of that time. It is Zilog's only manufacturing facility in the U.S. The company has subcontracting facilities in Indonesia, Malaysia, Japan, and Germany and employs about 1,575 people worldwide, over 500 of them work in Nampa.

A new fabrication area, called Mod III, was recently added to the local facilities. Zilog's corporate literature says Mod III has the potential to add \$400 million in annual revenues for the company. It's easy to see why Zilog's new slogan is, "The chips are flying!"

"I THOUGHT THIS IS SPACE-AGE TIME"

When Jody Santana joined Zilog on August 19, 1988 as a manufacturing technician in Mod II — one of the people who actually makes the chips — she was stunned at first. "I mean, I didn't even know what a clean room was," she says. "I worked in there and I felt like, this is not Nampa, Idaho, this is space-age time. I was intimidated. I felt like, how did I get this job? You guys are so smart, and I'm just a high school graduate. I did feel very inadequate, very undereducated, and very out of Nampa, Idaho."

After she got her bearings, however, Santana began impressing her supervisors. "It seemed like I learned really quick. They never had a problem with my learning. In fact, they were really impressed with how quick I learned," she says. Santana liked her job — because it offered her technical challenges, because it paid well, but also because it gave her more-time with her kids. She worked the graveyard shift, just to have the days to spend with them.

"I feel like, I had my kids, I wanted to raise them," Santana says. "You hear about things that happen in daycare, and I just feel like nobody can love my children like I love my own."

Jody and her husband, Michael, planned to have one more child, and with Jody in a secure new job, they started trying. Jody got pregnant in November of 1988.

Santana says she wasn't really worried about her first pregnancy. During orientation, she says she was told that all pregnant women were moved out of Mod II.

"When I went to ventilation three weeks after I arrived, they said we take all our pregnant people out because of the unknown," she said we take all our pregnant people out because of the unknown. "I was impressed with that. They said, there's nothing in there that we know will hurt you, we do it because of the unknown." Santana says. "And I thought, hey, this company's kind of new, they don't take any chances. In fact, when we went on our own during orientation, they called what is now known as Fat L, where they do the assembly work, 'the Marenity Ward,' because they said that's where

we put all our pregnant people," she says. "When Santana tried to act on that policy, however, she says she got different answers. Her supervisor first told her that the policy had changed and then referred her to other people, while her group lead said the policy was still in effect. At the same time, Santana watched other pregnant co-workers transfer out.

Santana says it worried her, but she tried not to overthink it. "As a mother, your natural instinct is to protect," she says. "But I'm also one of these people who don't jump to conclusions. If you believe everything you read in the tabloids, you'll think you're going to die every time you take a breath."

Then, 17 weeks into her pregnancy, Santana lost her 14lb child. "I lost my first baby — we named him Eric — and had to deliver him," she says. "We also named him."

At first, Santana was reluctant to blame the chemicals she worked with for the miscarriage.

"When I lost him, I had a lot of people saying that it was the chemicals," she says. "I didn't know what to think. I mean, he was very late-term for a miscarriage. Part of me was suspicious, part of me didn't want to jump the gun, either. The biggest part that got me then was the way the company acted. They acted real funny, like they had clear something wrong. People came up to me and said, 'They should have moved you out, it's in the specs, pregnant women shouldn't work in the fab.'"

Santana says that in older versions of company policy, it was written that pregnant women weren't supposed to work in Mod II. But after her first miscarriage, another employee told her that company officials came in on a weekend and revised the specifications to remove that policy.

"The one gal that told me said that they didn't have any qualms about it," Santana says. "She came in and said, 'What are you doing?' and they said, 'Because Jody Santana had a miscarriage, Zilog is covering their ass.'"

Santana took a brief leave after her miscarriage. When she returned, Santana says she went to her supervisor and confronted him. "I told him, I keep hearing all these things, and I don't think you guys had anything to do with it," she

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"People just didn't say a whole lot about it at that time. My co-worker was complaining about not being able to breathe right, but it was one of those things people just didn't talk much about," she says. "People would complain about the smelk, but they wouldn't complain about the health effects. We were told, too, 'Oh, this is normal, all fabs smell like this.' I think a lot of that was naive. Nampa, Idaho. I mean, most of those people probably came in a lot like me. We just didn't react to chemicals and any effects they might have on you."

KO ET AL. v. ZILLOG

Santana was not the only Zilog employee worried about chemical exposure. In 1994, after what they claimed was as much as three years of odors, illnesses and neglect by management, a group of Zilog employees filed suit against their employer. Eventually, 30 employees in all, including Jody Santana, would join Zilog Senior Engineer Tsorung Ko in his claim against the corporation, which was filed under the case name *Ko et al. (meaning "and others") v. Zilog*. (One plaintiff, Anna Moore, was voluntarily dropped from the suit.)

Akt to see the file for *Ko et al. v. Zilog* today and the clerk at the U.S. District Court in Boise will wheel out a cart stacked with binders. The file includes 937 documents — hundreds, if not thousands, of pages of material — many sealed in manila envelopes by order of Judge Williams.

The case brought two of Boise's most high-powered law firms up against one another: Givens, Purzley and Hundley faced the firm of Moffatt, Thomas, Barrett, Rock and Field.

Represented by Givens, Purzley, Ko and the other plaintiffs claimed that they were exposed to chemicals which damaged their health and that Zilog retaliated against them when they spoke up about it. Ko said that when he wore a respirator to screen out noxious fumes, Zilog supervisors called him

"the masked man." Other plaintiffs said that their bosses called them "cancers," "wimps," "weaks," and "weenies" if they spoke up about the gas in Mod II or if they were feeling difficulty breathing to facial muscles drooping or memory loss, or seizures to kidney stones or MCS (Multiple Chemical Sensitivity Syndrome — a hotly debated illness which some physicians believe leaves patients unable to stand even common household products due to their chemical content).

In places, the legal material reads like a Michael Crichton novel. Attorneys for Zilog dug through the medical and employment histories of the plaintiffs and uncovered previous drug use by two of them. At the same time, the plaintiffs charged that Zilog was shredding crucial evidence. The defendants countered that plaintiffs were stealing confidential information out of the Nampa facility.

At one point, the defendants argued that Jody Santana snuck into a conference room during a break in a meeting between Zilog corporate officers and their attorney and stole papers. Santana denied the charges in a sworn affidavit and Judge Williams ruled that no evidence supported the claim. Depositions were taken on the sounds of whirring shredders and disappearing e-mail; the judge also ruled that no evidence supported the claim of shredding.

The lawsuit's trial date was postponed twice as the pretrial motions and hearings mounted. Part of the reason for this was the new ground on which the battle was being fought. Idaho's workman's compensation law say employers can't sue their bosses for work-related injuries. If employees want to sue, they have to find another way.

Givens, Purzley met that challenge by suing Zilog for violating their employees' rights under the Americans with Disabilities Act. The ADA states that employers cannot discriminate or retaliate against workers with

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"CORPORATE MANAGEMENT HAS STATED THAT IF THEY DID EVERYTHING THAT HAS BEEN RECOMMENDED TO THEM, THEY WOULD BE OUT OF BUSINESS. THAT MAY HAPPEN ANYWAY. IF YOU KNOW YOU ARE OUT OF COMPLIANCE, THE LAW REQUIRES YOU TO BECOME COMPLIANT... IT IS NOT A 'NICE TO HAVE;' IF YOU FEEL YOU CAN AFFORD IT WHEN YOU GET AROUND TO IT..."

disabilities. The plaintiffs argued that Zilog caused the employees' disabilities and then retaliated by firing them or otherwise denying their rights when they sought to press a claim for their new disabilities.

Zilog's lawyers fired back at the initial complaint with 24 separate motions to dismiss, supported by 25 different memoranda of law. Over a year of legal wrangling, they whittled down the plaintiffs' numerous claims.

Eventually, with the agreement of both sides, a group of five plaintiffs were selected to serve as a test case for the other claims. The six included Trotung Ko and Jody Santana. Of those five, Williams ruled in response to pretrial motions that Ko and three of the other test plaintiffs were not disabled by their injuries — if any, since Zilog did not concede that any injuries took place. Williams said only Jody Santana had a reasonable claim to a disability, since her inability to conceive a child, could, if proven at trial, constitute an impairment of a major life activity.

But Williams also ruled that the other plaintiff could make a claim to having been retaliated against by Zilog, and that a jury could decide on those claims. Even if the plaintiffs — other than Santana — couldn't prove they were disabled, Williams ruled, they might prove that Zilog punished them for their attempt to prove disability. Trial was set for Monday, Aug. 26.

It had been a long, arduous process just to get to the trial — and it seems the parties were ready to make a deal. Negotiations at the Red Lion Riverside held on Aug. 16-17 laid the groundwork. At the last minute, Robert Huntley and Dr. Edgar Sack, Zilog's CEO and chairman, hashed out a settlement agreement over the phone on Aug. 24, the weekend before the trial's opening day. Huntley and Sack faxed copies back and forth, and *Ko et al. v. Zilog* was settled for

the sum of \$2.25 million.

Now that the settlement has been made, Zilog says it wants to just get on with business as usual — but the story is still far from over.

"WHEN WE CAN COMMENT, WE WILL"

"Throughout the pretrial proceedings in this case," Zilog's attorneys wrote in their brief for the trial that never happened, "plaintiffs have done their best to portray Zilog as a corporate monster: a harsh, unfeeling employer that exploits its employees and has little regard for human values. Zilog welcomes the opportunity to... finally tell the whole story."

Zilog couldn't ask for a better person to tell it than Mike Bradshaw, senior vice-president in charge of worldwide operations. A likable man with a genial manner and the frame of an ex-jock, Bradshaw says he can't wait for the whole story to come out either. But for right now, he says, he has to.

"I've committed to you and other members of the media, when we can comment, we will," Bradshaw says in his office at the Namps facility. "There's pending litigation in this case, and I can't comment."

Like all of the other participants in the case, Bradshaw is covered by the gag order, as well as the confidentiality provisions of the settlement. That means there is a lot he cannot talk about.

But Bradshaw can repeat some of what Zilog argued in court. He says that Zilog did everything in its power to fix whatever problems it had.

"I was physically here (when problems were first reported in Mod II)," Bradshaw says. "When we discover issues, we go in and evacuate the Fab and isolate the problem. This is true with any Fab. There's no such thing as a perfect Fab. You will have occasions where you evacuate the Fab to try to locate issues. It's all documented that we did everything we could, including a sizable

amount of investment, to fix the Fab."

Bradshaw maintains that Mod II is safe, and has been kept up to code.

"I been working in this industry for 25 years, and it continues to be enhanced. I feel the Module is safe. I go into the Module. We have kept this particular facility, which now has been going on for 16, 17 years, maybe even a little older, up to all the code. We feel we've made the proper investments. We continue to look for enhancements and to upgrade," he says.

That's why, Bradshaw says, he finds the accusations in the lawsuit and in the media frustrating. He thinks the real story of Zilog is going untold.

"I take it very personally," he admits. "Sometimes to the degree of feeling some frustration and some anger, because a small group, again, has biased opinions and it's distracted my time and much of my management's time to be involved with this. And the majority of people here just want to get on with their lives and do their jobs. So fortunately, while I've got a small population on one hand causing some problems, I get to walk down the hall and hear good things from 500 other employees."

The question comes up, then why did Zilog settle? Why didn't they fight it out?

Bradshaw has two words in response. "Business decision," he says. "You can imagine the time consumption and cost this way taking. We want to get on with our lives, with what we're paid to do, which is to make chips for our customers out there. That's probably the attitude of most of the population here. Obviously the press hasn't been nice to us lately, and I think if you were to query the people here, a vast majority would find it, oh, almost insulting. We've got 500 employees here who are happy doing their jobs and they know it's a safe place."

Asked if he still likes his job, Bradshaw smiles and says "Yeah."

Then he adds, "It's getting tougher. It used to be that all I got to do was make widgets, but now you get paid to talk about these

ends of issue.

THESE PROBLEMS DO MAKE EMPLOYEES SICK

In spite of Bradshaw's assurances and the company's denials, there's still a lot left to be explained.

Zilog says it wants the whole story to come out — but its attorneys are currently facing sanctions for their "lack of candor" and for their client's attempt to hide and misrepresent a crucial piece of evidence: the resignation letter of James Cochran, the safety manager at the Nampa facility.

According to that letter and excerpts from internal Zilog documents obtained by EW, there is strong evidence that Zilog knew it had serious problems.

Cochran resigned March 10, 1994. By the time of the lawsuit, he and Zilog had apparently patched up their differences: the company was going to call Cochran at an expert witness in its own defense.

However, that was complicated by discovery of Cochran's resignation letter — after what Judge Williams called an attempt to "sanitize" and "obfuscate" it by creating three different versions of the letter.

"The evidence leads the court to conclude that someone at Zilog realized the significance of the strong language used by Cochran when he resigned and how damaging it could become to Zilog's position," Williams wrote in a court order on June 18. "This person or persons then took steps to 'sanitize' Cochran's resignation letter by placing (an altered version) in the personnel file."

Because of what Williams called Zilog's attorneys' "lack of candor" over the Cochran resignation letter, he ordered sanctions against them, which are still pending at this writing.

What someone at Zilog apparently didn't want the public to see is a scathing indictment of Zilog's failure to address the chemical leaks and employee exposures:

"This resignation is based on the following factors: 1) The continuing employee chemical exposures. The root cause of these problems is related to poor and noncompliant equipment installations, substandard/noncode compliant facilities equipment and support utilities, unqualified and negligent maintenance, and the neglect that has occurred in the resolution of these problems in a timely manner. From limited historical documentation, these problems have existed since 1987 through the present day. Zilog has received several regulatory inspections, and been fined several times throughout this period, demonstrating the priority they received from corporate.

Cochran writes: "He goes on to say: 'Corporate management has stated that if they did everything that has been recommended to them, they would be out of business. That may happen anyway. If you know you are out of compliance, the law requires you to become compliant... It is not a 'nice to have,' if you feel you can afford it when you get around to it. Instead of waiting for a crisis before taking action, Corporate should be planning to take the steps necessary to prevent the next crisis. A company with \$50-75 million in cash has a poor defense when stating, 'We can't afford it.'"

Cochran also berates his bosses for failing to cover the cost of an on-site nurse. "The accident rate and worker's compensation premiums of this facility are the highest I have ever seen," he writes.

The resignation letter is not the only account of problems at the Fab. Other memos and e-mail detail multiple leaks, spills and evacuations which occurred throughout Mod II from 1991 on. Ed McBain, a former senior vice-president in charge of the Nampa facility, records multiple evacuations, exposures and illnesses in his diary.

A late 1991 status report to Zilog's workman's comp carrier notes, "The claimant was performing her regular duties when she was exposed to HMDS fumes for

an undetermined period... she experienced headaches, scratchy throat, light-headedness and aching in the back of her neck. Her lips became numb... the claimant was diagnosed with bronchitis which was secondary to the fume exposure...

One Zilog supervisor e-mails another on May 5, 1993: "We have sent two techs to the hospital so far tonight... Melissa Wildt was throwing up some blood... Theresa Anderson is having trouble breathing..."

Cochran also alerted his bosses of the problems long before his resignation. On May 4, 1993, an e-mail from him to McBain reports "15 employees with varying degrees of chemical-induced bronchitis and asthma," two of whom "reported actual chemical burns on their throats."

"During the last three years," Cochran writes in an internal memo to Zilog's human resource director, "the Nampa facility has had an accident frequency rate of four to seven injuries per 200,000 man-hours, a rate approximately four to seven times the average rate for the semiconductor industry..."

In the period from Jan., 1994 to Oct., 1994, another memo reports, 461 of Zilog's employees reported a total of 358 accidents. Internal Zilog documents also contradict Bradshaw's claim that Mod II has "always" been up to code and that problems were first noticed. Cochran notes in several other memos and e-mails that Zilog is out of compliance with safety and fire codes.

One of the most disturbing is his July 28, 1993 observation about Zilog's chemical monitoring system, which is supposed to alert employees when leaks occur:

"We currently have 10 machines, of which only three are connected to the visual alarm system. The other seven machines are not connected and there aren't any audible alarms. Essentially we have a non-functioning evacuation system."

In addition, internal audits from Environmental Occupational Resource Management (EORM) point out "serious deficiencies" in

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Sun Valley Brewing Co.

Pinlier Cellar

McCall Brewing Co.

Indian Creek Winery

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Zilog's toxic gas handling and safety procedures and failure to comply with the Uniform Fire Code and standard industry practices used in Silicon Valley.

Cochran and other Zilog managers also apparently knew that Mod II used chemicals which were harmful to women's pregnancies, including the photoresist Jody. Santana says she saw in the Fab.

An Oct. 12, 1993 e-mail from Cochran, re: pregnant employees, reads: "In my professional opinion, with the types of problems we continue to experience in Mod II, Mod II is not a safe work environment for pregnant employees... As a result, we need to remove

pregnant workers from that environment immediately..."

A May 7, 1993 e-mail from McBain to Mike Bradshaw also discusses the problem: "WE ARE STILL USING HPR 206 IN MOST OF THE DNS TRACKS, AN EGYPTA BASE PHOTORESIST. OTHER THAN THIS MATERIAL HAS BEEN ASSOCIATED ADVERSE HEALTH EFFECTS AMONG WOMEN, ITS ODOR THRESHOLD IS 10 TIMES LOWER THAN THE 506, 6512, 6517y PHOTORESISTS... WE DID TELL THE PRESS BACK IN DECEMBER THAT WE WERE NO LONGER USING THIS MATERIAL."

In one e-mail to multiple recipients, Cochran even admits, "These problems do make employees sick. The activity last week

with carbon filters did not solve the problem. It only gives us a little more time to find and fix the problems before the new filter are used up as well and the problems return..."

"ZILOG GOT OFF DAMN CHEAP"

Dr. Jay Young, a chemical safety consultant in Maryland who often serves as an expert witness for both defendants and plaintiffs, lets out a long, low whistle when asked about the chemicals that Zilog's records list.

"You say people were exposed to this stuff?" he asks. "They're lucky they weren't taken out of there feet-first."

Diborane, a chemical used in chip processing that several of the plaintiffs claimed exposure to, "is really nasty stuff," Young says. "It's about as toxic as it can get." Young says, and describes how it can cause respiratory problems and lung damage.

Sulfuric acid, another chemical the plaintiffs claimed exposure to, "leads to respiratory problems right away," Young says, as well as "inflammation, redness of the skin, open sores."

"If you breathe that stuff, it'll destroy your lung tissue," he adds.

Hydrofluoric acid "is even worse," Young says. "Sulfuric acid doesn't have a propensity to become a vapor, but hydrofluoric acid does. One case I saw, there was a guy who breathed that for quite some time in the course of his work. The autopsy showed he had no sinuses. The acid had just eaten them completely away."

Zilog maintains that even if there were leaks or exposures, the amounts were so far below the OSHA standards that they couldn't cause the health effects the plaintiffs claimed. But Young challenges that theory.

"The thing to understand about OSHA standards is, they're legal standards, not health standards," he says. "Just because you haven't exceeded them doesn't mean you're safe." Also, Young says, chemicals like diborane can have adverse health effects at exposures as low as a few parts per million

"THERE'S NO SUCH THING AS A PERFECT FAB. YOU WILL HAVE OCCASIONS WHERE YOU EVACUATE THE FAB TO TRY TO LOCATE ISSUES. IT'S ALL DOCUMENTED THAT WE DID EVERYTHING WE COULD, INCLUDING A SIZABLE AMOUNT OF INVESTMENT, TO FIX THE FAB."

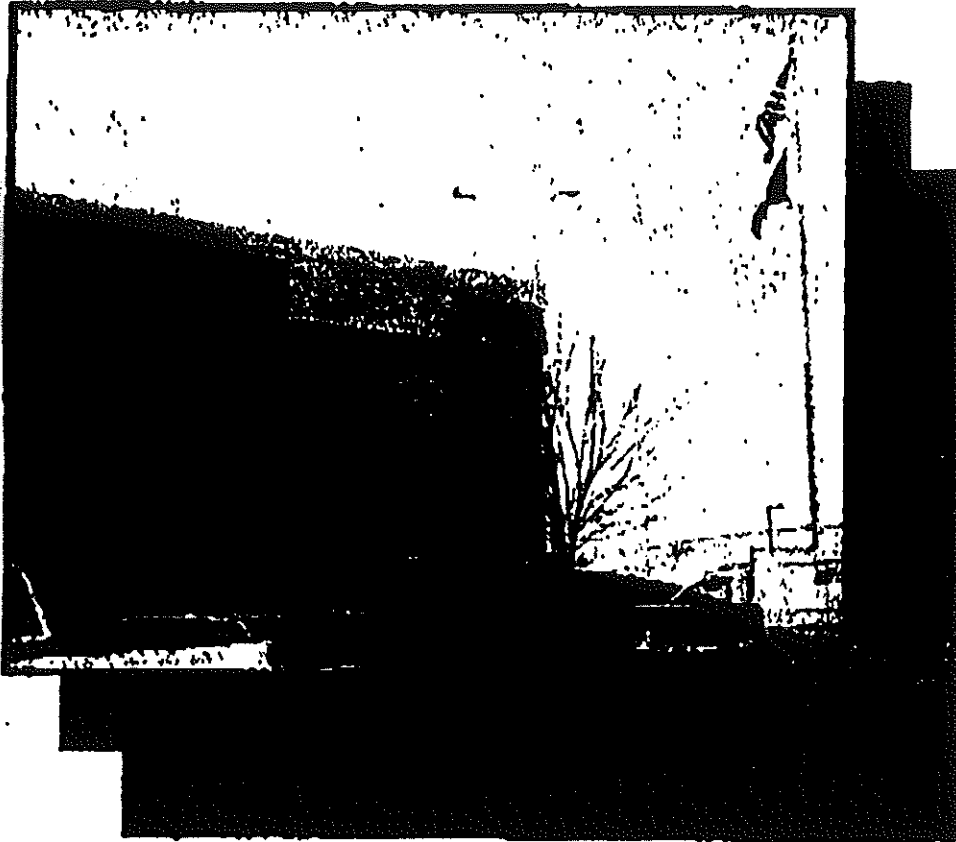
(PPM)

"Something as toxic as diborane, I wouldn't want to be exposed to in any context," Young says.

Out of curiosity, Young asked the amount of the settlement. When he heard, he was shocked. "I'd say \$2.25 million was damn cheap," he says. "If these people really were exposed to all this stuff, then for the company to get away with anything less than \$3 million is outrageous. They were damn lucky."

THE COST OF THE FUTURE

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that represent yesterday: the sugarbeet plant with its billowing smokestacks, an RV-trailer and boat dealer, and rent-by-the-month storage units.

The promise Zilog — and the semiconductor industry in general — has always made is the promise of the future: high-tech, high-paying manufacturing jobs in an industry as safe and clean as a computer screen. Zilog offers the promise that, instead of having a carwash economy, Nampa can surf into the 21st Century with semiconductors.

Jody Santana and the other plaintiffs tell another side of that story, one that sounds more familiar to the Industrial Revolution: toxic chemicals, profit margins and injured workers.

Mike Bradshaw was asked about many of the specific documents and the information they contain. Again, he says, the pending litigation prevents him from commenting.

"I hope that you understand this is all interrelated. We're wanting to be to the point where we can just come out and release this information. We're getting tired of this being played in the press," he says.

But Bradshaw is firm in his belief that Zilog has done nothing wrong. He says that Zilog had nothing to do with Santana's miscarriages. He maintains that there were no exposures above OSHA limits. He states firmly that no one was punished for creating their injury claims against the company. And he says that Zilog is considering litigation against Steve Cannizzaro, a former Zilog supervisor, who, according to published reports, accuses the company of destroying documents vital to the case.

Bradshaw also notes that Zilog is in the midst of a reduction in force — downsizing — and says that some people now claiming retribution were simply released because of performance.

Jody Santana still works at Zilog, though not in Mod II any more. She is one of the few plaintiffs who has not quit or been fired. But even if she is selected for the reduction in force, she says, she doesn't really care; she

will quit on her own soon.

"I needed to stay because I needed the income. I did feel sort of like a prostitute," she says. But she also feels her presence there serves as a warning and a reminder.

"Any time somebody gets pregnant, they always say, 'Oh, you ought to talk to Jody Santana,'" she says. "I feel like, in its own

way, that sends a message out, that they can't just get away with things. If I could do it, I would love to stay around for the next 20 years just to be a thorn in their side. On the other hand, I cannot walk into that building without knowing that they have killed my children. It's really hard. So I feel like I have come to the end of setting an example."

Santana's example, all of the accusations and all of the publicity have some in the company wondering if Idaho is really the best place for Zilog anymore, Bradshaw says.



Zilog's Nampa facility

"We like Idaho. We like the people. But, it has raised a question: if we're going to continue to get this much aggravation, should we continue to expand in Idaho?" he says. "Now, personally, where I'm coming from, yes, I want to. That's why I continue to work very hard, including working with the media, to be as open as we can, when we can, instead of a classic 'no comment.'"

But whatever Zilog decides, the message is pretty clear: if Idaho wants to join in the profits of the 21st Century, it's going to have

to accept the costs.

Jody Santana still visits the graves of two of her stillborn children, Eric and Erica, on birthdays, holidays and "whenever I need to think," she says.

"I have a little thing in my bedroom," Santana says. "It's a little glass with an angel on it. I bought it when I lost Erica. I bought it to replace Erica and to replace all of them I can look up there on my wall... that's my babies now."

Chris Farnworth is Boise Weekly's associate editor

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